IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Revision Application No. 207 of 2006

Mahadev Waman Jagtap & ors. Applicants
Vs.
Shri Raosaheb Rajaram Jagtap & anr. Respondents

Mr.R.S.Kate for applicants.
Ms.M.H.Mhatre, APP for State.

CORAM: B.H.MARLAPALLE,J.

January 24, 2007.

P.C.

. Heard Mr.Kate, the learned counsel for the applicants. I have perused the impugned decision of the learned Addl. Sessions Judge at Baramati rendered on 14/3/2006 setting aside the order passed by the learned Judicial Magistrate, First Class, Indapur thereby recalling the process issued and dismissing the complaint filed under Sections 307, 326, 324, 452, 504 and 506 read with Section 34 of IPC. The reasoning given by the learned Addl. Sessions Judge cannot be termed as perverse or grossly erroneous so as to call for interference in the order restoring the complaint filed by the respondent. The contentions of the accused can be examined when the trial begins and it is for the prosecution to prove the charge. In any case triable case is made out and, therefore, the learned Addl.

Sessions Judge rightly set aside the order passed by the learned Judicial Magistrate, First Class.

. The revision application is, therefore, rejected summarily. Trial is expedited.

(B.H.MARLAPALLE,J.)